



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

TECH CENTER 1600/2900

**UNDER 37 C.F.R. § 1.97(c)**

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies the documents as "prior art" against any claim in



ATTORNEY DOCKET NO.: 044137-5029

Application No.: 09/825,872

Page 1

the application and Applicants determine that the cited document does not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

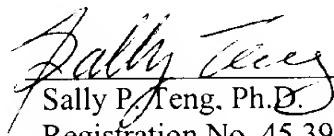
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

EXCEPT for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully Submitted,  
**Morgan Lewis & Bockius LLP**

Date: October 25, 2002  
Morgan Lewis & Bockius LLP  
Customer No. **009629**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
Tel. No.: 202-739-3000  
SPT:mk

By:

  
Sally P. Teng, Ph.D.

Registration No. 45,397  
Tel. No.: (202) 739-5734  
Fax No.: (202) 739-3001

**RECEIVED**

OCT 30 2002

TECH CENTER 1600/2900